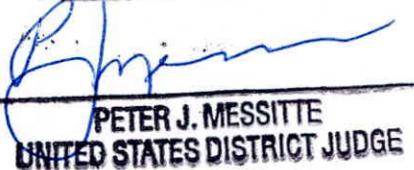


Case 8:13-cr-00328-PJM Document 39 Filed 02/07/15 Page 1 of 3
Motion "GRANTED" this 9 day
of FEB, 2015.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND


PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

UNITED STATES OF AMERICA

*

* CRIMINAL NO. PJM-13-0328

v.

*

*

KIRK YAMATANI

*

* * * * *

UNOPPOSED MOTION TO TERMINATE PROBATION

Comes now the defendant, Kirk Yamatani, by and through his attorney, Steven H. Levin, and in support of his Unopposed Motion to Terminate Probation, states as follows:

On May 13, 2014, the defendant pled guilty to the misdemeanor offense of Submission of a False Official Writing, in violation of 18 U.S.C. §1018. On June 30, 2014, the Court sentenced the Defendant, *inter alia*, to one year of probation, restitution of \$11,150.21, a fine of \$20,000, and sixty (60) hours of community service.

Since being sentenced over seven months ago, Mr. Yamatani has fully paid all restitution and fines. He has also completed 60 hours of community service. He has remained employed and has complied with all terms and conditions of his probation.

FILED _____ ENTERED _____
LOGGED _____ RECEIVED _____

FEB 10 2015

18 U.S.C. §3564(c) allows for early termination of probation at any time in the case of a misdemeanor if the Court is satisfied that such action is warranted by the conduct of the defendant and the interest of justice. In this case, Mr. Yamatani has maintained full time employment, paid all of his financial obligations related to this case, completed significant community service and has been a caring husband and father to his young children. Like his co-defendant, who was granted early termination in her accompanying case last week, Mr. Yamatani has clearly earned the privilege of an early termination of probation.

Mr. Yamatani's probation officer, United States Probation Officer Carol Nulf, spoke with Ms. Ondrik's attorney (undersigned counsel has been traveling) who indicated that she fully supports early termination for Mr. Yamatani. AUSA Adam Ake also spoke to Ms. Ondrik's lawyer about Mr. Yamatani's motion and Mr. Ake indicated that the United States defers to the Court with respect to this motion.

Accordingly, the defendant respectfully requests that his probation be terminated in the interests of justice pursuant to 18 U.S.C. §3564(c).

Respectfully submitted,

/s/
Steven H. Levin (Federal Bar No. 28750)
Levin & Curlett, LLC
201 North Charles Street, 20th Floor
Baltimore, Maryland 21201
(410) 685-0078

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on February 9, 2015, a copy of the foregoing motion was sent via ECF to AUSA Adam Ake, 6406 Ivy Lane, Suite 800, Greenbelt, MD 20770.

/s/

Steven H. Levin